2016 COMMUNITY ENVIRONMENTAL PROJECT FUND APPLICATION Due September 12, 2016

About the Community Environmental Project Fund

The concept of the Community Environmental Project Fund was borne in the House of Representatives in 2003. Legislators sought a strategy to support the restoration of the environment in communities that were damaged by environmental pollution. For the past ten years The Department of Natural Resources an Environmental Control had collected on average, \$500,000 each year in penalties imposed on companies responsible for violations of environmental laws. House and Senate Representatives were exploring legislative approaches to use penalty funds and constructively, and empower local organizations to address the environmental affairs of their communities.

The Community Involvement Advisory Council (CIAC) is a Governor- appointed body that is responsible for advising the DNREC Secretary on matters of community engagement. The Mission of the Council is to increase community involvement and the access of information to communities. In the process of engaging and informing communities, the CIAC is charged with ensuring that every community has access to the programs and services of the Department.

In October 2003 a member of the Council suggested that the sponsors of the bill should attend a meeting of the Council to receive their input on the proposed legislation. Sponsors from the House and Senate attended the CIAC meeting to explain their intention in drafting House Bill 192 (Attachment B).

In theory, HB 192 is a model of restorative justice. Restorative Justice is a theory of law that emphasizes repairing the harm caused, or revealed by criminal behavior. The central idea of the proposed law was to return a portion of the funds collected by the Department to the communities where the violations occurred. Their emphasis was on generating resources for environmental projects that could rectify the harm inflicted on communities by environmental pollution. "If the bill passes, twenty-five percent of the total penalty assessed will be dedicated to projects in the affected community; the other seventy-five percent of the total penalty assessed will be allocated by the Department to other projects."

The Community Environmental Project Fund was established in 2004 with the passage of HB 192. It enables the Department of Natural Resources to transfer 25% of all the civil and administrative penalties collected by the Department into a special fund. As the legislature originally intended, The "Fund" supports Community Environmental Projects that restore and enhance the environment in communities impacted by environmental pollution.

HB 192 defines Community Environmental Projects as initiatives undertaken for the purposes of:

- 1. **Pollution Mitigation** Projects that eliminate, minimize or abate pollution, or improve conditions within the environment in order to eliminate or minimize risks to human health.
- 2. Environmental Enhancement Projects developed for the enhancement of natural resources, improvement of indigenous habitats, or creation of recreational opportunities for the citizens of Delaware.

The bill established the authorities and process for grant-making decisions. The DNREC Secretary is the final authority in all CEPF matters. The CIAC would serve in an advisory role to the Secretary. The Council also became responsible for the management, intake, screening and ranking of CEPF grant applications. HB 192 requires the Secretary to confer with the CIAC in determining whether a proposed project is within the community where an infraction or violation occurred. Upon completion of their review, The CIAC is responsible for sending a set of funding recommendations to the DNREC Secretary for the final decision.

Spurred by increasing demands for funding between closely situated communities, the General assembly amended HB 192 in 2011 to strengthen the mandate for grant-making to impacted communities.

HB 197 (Attachment C) requires the DNREC Secretary to create a record of the location of each violation. The state's four major Drainage Basins; the Piedmont, Delaware Bay, Chesapeake Bay, and the Inland Bays/Atlantic Ocean drainage basins were established as the geographic boundaries for determining the location of violations. It instructs the Secretary and the CIAC to consider the location of a violation in the grant-making process, and to give priority to the community that is *most* impacted by a specific violation.

The passage of HB197 gave more weight to the responsibility to inform communities, and to assure access to all the services and programs of the Department. In response to the legislature's demands, the CIAC developed the Online Penalty Deposit Spreadsheet. The Spreadsheet is the document provided for applicants to identify the funds available to impacted communities throughout the state. All of the information provided on the spreadsheet is pulled from the Secretary's Orders.

A Secretary's Order is a record of facts, background and findings of every violation of environmental laws and regulations. In the process of researching and identifying sources of funding for community projects, the Penalty Spreadsheet reveals all of the regulatory, permitting and enforcement actions of the Department is revealed to CEPF applicants.

There is no more comprehensive source of information throughout the entire Department of Natural Resources and Environmental Control, than the Online Penalty Spreadsheet. One click provides access to Secretary's Orders, the names of the party responsible for the infraction of environmental law(s), the location and nature of the violation, the drainage basin in which it occurred, the revenues available for CEPF projects as a result of the penalty, and finally the distance between the violation and communities throughout the state.

Since 2004 the CEPF has contributed over \$6 million, an average of about \$500,000 to communities impacted by environmental pollution. The DNREC Secretary and the Community Involvement Advisory Council welcome you to this opportunity to restore and enhance your community with CEPF resources.

INFORMATION FOR APPLICANTS

The eligibility criteria for Community Environmental Projects are:

- A. IRS tax-exempt status or a formal Fiscal Sponsorship Agreement.
- B. DNREC Project Sponsor
- C. A 25% match in funding, volunteer support, services, or donated supplies
- D. Mandatory project presentation by the applicant at a scheduled Community Involvement Advisory Council (CIAC) meeting.

A. Organizational Eligibility

IRS Tax-exempt organizations are eligible for up to \$20,000. These include; civic and community organizations, educational institutions, counties, municipal governments, state agencies and quasi-state agencies that represent the community where the infraction(s) or violation(s) occurred and that resulted in a civil or administrative penalty.

During the 2015 cycle eligibility unincorporated non-profit organizations which do not have tax-exempt status, are eligible for to apply for CEPF grants up to \$10,000 under the terms of a **Fiscal Sponsor Agreement** with a tax-exempt organization.

Unincorporated, or Not-For-Profit organizations that do not have tax-exempt status are eligible for up to \$10,000 by submitting their application under the terms of a Fiscal Sponsor Agreement with a tax-exempt organization. A Fiscal Sponsorship Agreement is a contractual agreement between a tax-exempt organization and an organization which does not have tax-exempt status. In exchange for a negotiated fee, the tax exempt organizations agrees to administer the grant funds on behalf of the unincorporated organization and take responsibility for financial management and reporting.

The Fiscal Sponsor Agreement and the following documents must be included as an attachment to the CEPF application:

- CEPF project budget
- Current NFP annual budget
- Most recent NFP annual audit
- Most recent NFP IRS 990 Report

Sample Fiscal Sponsor agreements can be found at the Foundation Center website, GRANTSPACE:

http://grantspace.org/tools/knowledge-base/Individual-Grantseekers/Fiscal-Sponsorship/examples-of-fiscal-sponsorship-agreements

B. Matching Funds

The applicant must provide a 25% match of the CEPF project budget in funding, volunteer support, services, or donated supplies. The 2015 value of volunteer labor has been calculated by The Independent Sector, an online network of not for profit organizations, foundations and corporations (http://independentsector.org/volunteer_time). The 2015 volunteer rate of pay is calculated to be \$23.56/hr.

C. Community Involvement Advisory Council CEPF Presentation

CEPF applicants are required to attend a CIAC the October 4, 2016, 9:30 AM meeting of the Community Involvement Advisory Council to make a brief presentation of their CEPF project and respond to questions from CIAC members and DNREC staff. The presentation is taken into consideration for the Council's recommendation to the Secretary.

The meeting location will be announced.

2016 Community Environmental Project Fund Application Form

A. COVER SHEET

SAME / TIT f the person		oject implementatio	n and proje	ect reports:
ddress:				
ity:			State:	Zip:
hone:	Fax:	Email:	3,510.00	
		Project Informat	ion	
1. Briefly	y describe your orga	nnization's mission, l	history, and	l environmental activit
2. What	is the nature of you	r project? Please che	eck the app	ropriate line.
Environm	ental Enhancement	Pollution Mit	igation	Recreational
=:			-8	Opportunities
3. Please	provide a brief des	cription of your pro	ject.	
		B. Project		date:
4 3575 - 1				
	is the total cost of yow will you obtain th	our project? ie required 25% ma	tch?	

5. DNREC Project Sponsor

A DNREC Project Sponsor is required for all CEPF-funded projects. Project Sponsors are DNREC staff who are subject matter experts on the environmental issue(s) addressed by the CEPF project. The DNREC Sponsors assist CEPF grantees in the planning and implementation of their CEPF project. DNREC Project Sponsor assistance includes:

- Advising the applicant of Best Management Practices (BMP), assuring that CEPF projects make use of environmentally and technically sound approaches.
- Referring applicants to qualified environmental expertise
- Helping applicants to develop a realistic project plan, budget, and timeline for implementation.
- Sharing their knowledge about market prices for vendors, supplies and equipment.
- Identifying appropriate project partners and opportunities for DNREC involvement
- the project can result in additional monitoring visits, or other remedies for non-compliance

Please identify your DNREC Project Sponsor. Contact the DNREC Community Ombudsman, if you need assistance at 302-739-9000.

A.	Name:		
В.	DNREC Division:		

Organizational Information

0.	•	ation lette		tion? Please attach the organization's IRS
	A.	_Yes	No	
	В	_501C 3	501C 4	C. Other. Please identify:
7.	If not tax	exempt. I	Please identify the	e organization serving as your fiscal sponsor.

- - A. Please attach the organization's IRS determination letter and a Fiscal Sponsor Agreement.

	a signed letter or docu Environmental Project	0.	ur application for
9. Amount of yo	ur current organizatio	onal budget:	
10. Percentage of	each funding source:		
Foundation	Government	Corporate	Member Dues
Fundraising	Other:		
11. Tell us about	your board and staff:		
	Total Number	Full Time	Part Time
Staff			
Board of			

Project
Committee
Project
Volunteers

B. PROJECT NARRATIVE

- 1. Project Title.
- 2. Please give a brief history of your organization, including why it started, recent activities and accomplishments.
- 3. Describe the structure of your project team, including staff, board, committees, membership, etc. Explain what groups or individuals are responsible for planning, making decisions and for carrying out the proposed work.
- **4.** What is the environmental issue that your organization is going to address? How does it affect your community? What has your organization identified as the cause of the problem?
- 5. What is the community and the population that is most affected by the problem. Please identify the drainage basin and geographic boundaries of the community as you define it. Please provide a demographic description of the population (s) most affected.
- **6.** What are the project goals and objectives?
 - A. Describe the project activities to achieve these goals.
 - B. What are your intended outcomes for the project?
- 7. Describe how the work will be evaluated.
- **8.** What is your organization's fundraising plan for this project? What other sources of funding have you identified to complete or sustain the project?
- 9. Start date/End date?
- 10. Please enclose the required attachments:
- IRS Determination Letter
- Itemized organizational budget for the current fiscal year
- Audited financial statements or IRS form 990
- Fiscal sponsor agreement, if applicable
- Grant In Aid Financial statements, if applicable
- List of 3 largest funders during the last fiscal year
- Annual report or summary of the last year's activities
- Current board list and affiliations
- Description of key staff and leadership

C. PROJECT BUDGET

12. Please specify the penalties that you are claiming for your project from the penalty spreadsheet.

The Online Penalty Deposit Spreadsheet (See Attachment A)

The Online Penalty Deposit Spreadsheet is the document provided for applicants to identify the funds available to impacted communities throughout the state. It can be found at:

http://maps.dnrec.delaware.gov/communitypenaltyfund/

The information it provides is drawn from A Secretary's Order and the essential information is laid out in bold columns across the top of the spreadsheet.

The "Order Number" column refers to the identification number of the written decision of the DNREC Secretary to act on behalf of the Department. All Secretary's Orders are available for review at: http://www.dnrec.delaware.gov/Info/Pages/DNREC-Secretarys-Orders.aspx

- "Responsible Party" provides the identity of the organization that committed the violation. It sets out the facts, findings and details of the regulation that was violated by the Responsible Party.
- **"Location"** provides the physical address of the violation. The Merit Oil and University of Delaware violations occurred at multiple locations. Applicants are limited to claiming the portion of the penalty that occurred within the Drainage Basin where their project is located.
- "Municipality" identifies the town or city where the violation occurred.
- A "Drainage Basin" technically refers to the geographic area to which surface water drains into a body of water. In terms of this CEPF application, the Drainage Basin is the geographic location of your project. This the community that was adversely impacted by the environmental pollution released there. impacted and which has been adversely impacted by a violation.
- "Revenue" is the 25% portion of the total fine that has been deposited into the CEPF.

Information	Violation Type	Location	Drainage Basin	Revenue
		Total Reve	enue	
	Information	Information Violation Type		Information Violation Type Location Drainage Basin Comparison Com

Description of Eligible Project Costs

CEPF Funds May Be Used to Cover:

- 1. Costs for equipment (purchase or rental) supplies, materials and related services required to conduct the project
- 2. Communication costs directly related to the project.
- 3. Travel costs related to the project.
- 4. Insurance costs

CEPF Funds May Not Be Used to Cover:

- 1. Administrative costs and overhead. These are expenses that are incurred for the general operation of the organization. They include:
 - Liability Insurance for directors, officers and staff
 - Rent
 - Utilities
 - Office Supplies unless those costs are incurred solely for the CEPF project.
 - Personnel costs for salaried, hourly or contractual staff time.
 - Fringe Benefits
- 2. Expenses incurred by the fiscal sponsor for administering the grant
- 3. Costs that are paid for by other funding sources
- 4. Debts incurred prior to the start date of the project.
- 5. Legal costs related to participation in an action before a municipal, state or federal court or other agency.
- 6. Multiple applications from a single organization
- 7. Lobbying
- 8. Fundraising, alcoholic beverages

Bidding Thresholds for the purchase of goods and services:

Applicants must observe State of Delaware Purchasing Procedures and Bidding Thresholds for the purchase of goods and services:

A. Material and Non-Professional Services

- Less than \$10,000 Open Market Purchase
- \$10,000 \$24,999 3 Written Quotes
- \$25,000 and over Formal Bid.

B. Public Works

- Less than \$25,000 Open Market Purchase
- \$25,000 \$49,999 3 Letter Bids
- \$25,000 \$49,999 3 Letter Bids.
- \$50,000 and over -Formal Bid

C. Professional Services

- Less than \$50,000 Open Market
- \$50,000 and over Formal RFP Process

Project Income	Committed	Pending
Government Grants	\$	\$
Foundations	\$	\$
Corporations	\$	\$
United Way/Other Campaigns	\$	\$
Individual Contributions	\$	\$
Fundraising Events and Products	\$	\$
Membership Income	\$	\$
In-Kind Support	\$	\$
Other	\$	\$
Total Income	\$	\$
Project Expenses		
Salaries and Wages		
	\$	
	\$	
	\$	
Subtotal	\$	
Insurance	\$	
Consultants and professional Fees	\$	
Travel	\$	
Equipment	\$	
Supplies	\$	
Printing and Copying	\$	
Telephone and Fax	\$	
Postage	\$	
In-kind expenses	\$	
Other	\$	
Subtotal		
TOTAL EXPENSES	\$ 	

Budget Details

- 11. What is the rate of pay for professional fees or contract? Please attach a copy of your proposed contract.
- 12. Consumable Supplies Please attach a list the project related supplies that appear in your budget that will be consumed during the course of the project. See example below.

Item Description	Cost	Quantity Purchased	Subtotal
			Total Supplies:

13. Equipment Lease/Rental - Please attach a list of the rental equipment that appears in your budget. Explain how the equipment is necessary for the success of the project. See the example below.

Item Description	Cost	Purpose	Subtotal
	-1		
			Total Rental:

Application Submission Instructions

Deadline: Monday September 12, 2016 by close of business, 4:30 PM. Applications received after the deadline will not be considered for funding. Please submit the application and the following by mail, or electronically to:

Attention: Nicole Bixby, CIAC Administrative Support
Office of Community Services
23530 Campbell Court
Georgetown Delaware 19947
Nicole.Bixby@state.de.us

Community Environmental Project Fund Application Checklist

- A. Cover Sheet
- **B.** Project Narrative
- C. Project Budget
- D. Please Attachment the following organizational documents:
 - IRS Determination Letter
 - Itemized organizational budget for the current fiscal year
 - Audited financial statements or IRS form 990
 - Fiscal sponsor agreement, if applicable
 - Grant In Aid Financial statements, if applicable
 - List of the 3 largest funders during the last fiscal year
 - Annual report or summary of the last year's activities
 - Current board list and affiliations
 - Description of key staff and leadership
- E. Letters of Agreement From all collaborating organizations
- F. Report on previous CEPF Funding